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6/3/05 Date	Monica A. De La Paz Monica A. De La Paz

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Yang, *et al.*

Serial No.: 10/672,142

Filed: September 26, 2003

For: ETHYLENEDICYSSTEINE (EC)-DRUG
CONJUGATES, COMPOSITIONS AND
METHODS FOR TISSUE SPECIFIC
DISEASE IMAGING

Group Art Unit: 1616

Examiner: Jones, D.

Atty. Dkt. No.: UTXC:664USC2

DECLARATION

We, David J. Yang, Chun-Wei Liu, Dong-fang Yu, and E. Edmond Kim, hereby declare
as follows: EJK 4/25/05

1. We are joint inventors of the subject matter disclosed and claimed in the referenced patent application.

2. We understand that the Patent and Trademark Examiner has found the claimed subject matter of the referenced application to be obviated by the publications of Ilgan *et al.* (*Cancer Biotherapy and Radiopharm.*, 13(6):427-435, 1998), Yang *et al.* (*Pharm. Res.*, 16(5):743-750, 1999), Zarenayrzi *et al.* (*Anti-Cancer Drugs*, 10:685-692, 1999), and Yang *et al.* (*J. Labelled Compd. Radiopharm.*, 42, Suppl. 1, 1999, pp. S696-S697).

6. With respect to the Zareneyrizi *et al.* article, the authors that were not named as inventors were Seyfettin Ilgan, Tetsuya Higuchi, Fereshteh Zareneyrizi, Wayne Tansey, and Donald A. Podoloff. None of these individuals made an inventive contribution to the subject matter of the claims. Seyfettin Ilgan conducted animal imaging and autoradiographic studies. Tetsuya Higuchi conducted animal tissue distribution studies. Fereshteh Zareneyrizi assisted in animal preparation and animal imaging studies. Wayne Tansey carried out chromatographic analysis of labeled agents. Donald Podoloff assisted in the interpretation of animal data prior to human use. Each of these individuals operated under the direction of one or more of the inventors with respect to the studies that the individual carried out, and did not contribute conceptually to the subject matter of the invention.

7. With respect to the Yang *et al.* (*J. Labelled Compd. Radiopharm.*, 42, Suppl. 1, 1999, pp. S696-S697), the authors that were not named as inventors were Saad Zakko, Jamila Boulfefel, Al-Bahri Shamsi, Seyfettin Ilgan, Wayne Tansey, Fereshteh Zare, and Donald A. Podoloff. None of these individuals made an inventive contribution to the subject matter of the claims. Saad ZAKKO was involved in equipment arrangement. Jamila Boulfefel was involved in image processing. Al-Bahri Shamsi was involved in dose calibration. Seyfettin Ilgan conducted animal imaging and autoradiographic studies. Wayne Tansey carried out chromatographic analysis of labeled agents. Fereshteh Zare was involved in animal tissue distribution studies. Donald Podoloff assisted in the interpretation of animal data prior to human use. Each of these individuals operated under the direction of one or more of the inventors with respect to the studies that the individual carried out, and did not contribute conceptually to the subject matter of the invention.

8. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that

3. We are submitting this declaration to set forth evidence demonstrating that the authors of the foregoing articles that were not named as inventors did not, in fact, make an inventive contribution to the subject matter.

4. With respect to the Ilgan *et al.* article, the authors that were not named as inventors were Seyfettin Ilgan, Tetsuya Higuchi, Fereshteh Zareneyrizi, Hikmet Bayhan, and Donald A Podoloff. None of these individuals made an inventive contribution to the subject matter of the claims. Seyfettin Ilgan conducted animal imaging and autoradiographic studies. Tetsuya Higuchi conducted animal tissue distribution studies. Fereshteh Zareneyrizi assisted with animal preparation and animal imaging studies. Hikmet Bayhan assisted in interpreting animal test data. Donald A. Podoloff assisted in interpreting animal data prior to human use. Each of these individuals operated under the direction of one or more of the inventors with respect to the studies that the individual carried out, and did not contribute conceptually to the subject matter of the invention.

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these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

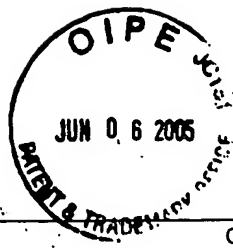
Date: _____
David J. Yang

Date: _____
Chun-Wei Liu

Date: _____
Dong-Fang Yu

Date: _____
E. Edmund Kim, mdr
E. Edmund Kim

EEK 4/25/05



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Date: 4/14/2005

David J. Yang
David J. Yang

Date: 4/14/05

Chun-Wei Liu
Chun-Wei Liu

Date: 4-14-05

Dong-Fang Yu
Dong-Fang Yu

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E. Edmund Kim, M.D.
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